

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ROBERT M. GRAY,	:	CIVIL NO.: 1:20-cv-02323
	:	
Plaintiff,	:	
	:	
v.	:	(Magistrate Judge Schwab)
	:	
KRISTINA L. PALMER,	:	
	:	
Defendant.	:	

**ORDER**

February 11, 2021

The plaintiff, Robert M. Gray (“Gray”), filed a motion for default judgment (*doc. 8*) and a motion to compel discovery (*doc. 13*). Gray’s motion for default judgment is merely the first page of our form for a judgment in a civil action. *Doc. 8*. The defendant, Kristina L. Palmer (“Palmer”), filed a motion to strike Gray’s motion for default judgment on January 22, 2021, as violative of the requirements for pursuing a default judgment under Federal Rule of Civil Procedure 55. *Doc. 11*. Gray made no response to Palmer’s motion to strike, and the time for such a response has elapsed.

Gray’s motion to compel discovery seeks a list of documents from Palmer and American Legion Post 26. *Doc. 13*. In keeping with the Federal Rules of Civil Procedure and the Local Rules of the Middle District of Pennsylvania, Gray must confer with defense counsel by way of a deficiency letter in a good faith effort to

resolve by agreement the discovery issues raised before seeking the intervention of the court.

In keeping with the foregoing, **IT IS ORDERED** that Palmer's motion to strike Gray's motion for default judgment is **GRANTED**, and Gray's motion for default judgment is **STRICKEN**. **IT IS FURTHER ORDERED** that Gray's motion to compel discovery is **DENIED**, and Gray shall not file additional motions to compel discovery before making a good faith effort to resolve any discovery issues with defense counsel.

**S/Susan E. Schwab**  
Susan E. Schwab  
United States Magistrate Judge